



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 629 East Main Street, Richmond, Virginia 23219

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James S. Gilmore, III
Governor

John Paul Woodley, Jr.
Secretary of Natural Resources

Dennis H. Treacy
Director

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MINUTES

STATE AIR POLLUTION CONTROL BOARD

MONDAY, DECEMBER 13, 1999 MEETING

House Room D, General Assembly Building
Richmond, Virginia

Board Members Present: Peter W. Schmidt, Chairman
Karlynn W. Bucher - Vice-Chairman
JoAnne Scott Webb
Frederick O. Walker

Board Members Absent: Paul G. Anderson

Staff: David K. Paylor, Director
Program Coordination
Department of Environmental Quality

Cindy M. Berndt
Department of Environmental Quality

- 1) The attached minutes summarize activities, which took place at this Board meeting.
- 2) The meeting was convened at 11:05 a.m. on Monday, December 13, 1999. The meeting was adjourned at 12:00 p.m.



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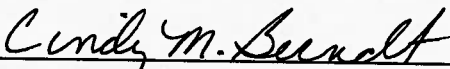
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EXCERPT FROM THE PROCEEDINGS OF THE STATE AIR POLLUTION CONTROL BOARD AT ITS MEETING ON DECEMBER 13, 1999

MINUTE NO. 1 - High Priority Violators List

Ms. Renee Hooper, Office of Enforcement Coordination, presented a report on high priority violators.



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MINUTE NO. 2 - Federal Documents Incorporated By Reference (Rev. C99)

Ms. Karen G. Sabasteanski, Policy Analyst, Office of Air Regulatory Development, presented Revision C99 concerning the incorporation of newly promulgated federal New Source Performance Standards, National Emission Standards for Hazardous Air Pollutants and national emission standards for hazardous air pollutants for source categories. She explained that the amendments would update the state regulations to conform to federal and were exempt from state public participation requirements.

Decision

Based on the staff presentation and the briefing material provided, the Board unanimously (1) adopted the amendments with an effective date of April 1, 2000; (2) authorized the Department to submit the amendments to EPA; and (3) affirmed that the Board will receive, consider, and respond to petitions by any person at any time with respect to reconsideration or revision.



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MINUTE NO. 3 - Motor Vehicle Emissions Inspections

Mr. David J. Kinsey, Office of Air Quality Programs, presented the repeal of two motor vehicle emissions inspection regulations (9 VAC 5-90 Regulation for the Control of Motor Vehicle Emissions and 9 VAC 5-100 Regulation for Vehicle Emissions Control Program Analyzer System). Mr. Kinsey explained that the enhanced emissions inspection program had superceded the program established by these regulations. Additionally, he explained that the Board had not repealed these regulations when the enhanced program was adopted in order to provide time for the enhanced program to be implemented.

Decision

Based on the briefing material and staff presentation, the Board unanimously approved repeal of 9 VAC 5-90 and 9 VAC 5-100.



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MINUTE NO. 4 - Regulation for Dispute Resolution

Dr. Kathleen Sands, Policy Analyst, Office of Air Program Development, presented a request to withdraw the proposed Regulation for Dispute Resolution (9 VAC 5-210). Dr. Sands explained that the Waste and Water Boards had also considered the proposed regulation. However, the other boards were unable to meet in time to comply with the Governor's timeframe requirements for processing regulations. Therefore, the Department was requesting that all three boards withdraw the proposed dispute resolution regulations and restart the process.

Decision

The Board unanimously authorized the Department to withdraw 9 VAC 5-210 (Rev. T97) and proceed with the development of the proposal without the use of the participatory approach and the public meeting.



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MINUTE NO. 5 - Regulation for Transportation Conformity

Ms. Mary E. Major, Policy Analyst, Office of Air Program Development, presented a periodic review report on 9 VAC 5-150 Regulation for Transportation Conformity. Ms. Major explained that the report was preliminary and contained no recommendations for further action at this time since another review of the regulation is scheduled for early next year.

Decision

Based on the briefing material and staff recommendation, the Board unanimously granted tentative approval of the report, withholding final approval until preparation and review of the report required by Executive Order No. 25(98).



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MINUTE NO. 6 - Emission Standards for Petroleum Storage and Transfer Operations (Rev. F97)

Ms. Mary E. Major, Policy Analyst, Office of Air Program Development, presented a request to withdraw proposed amendments to the regulations concerning emission standards for petroleum storage and transfer operations. Ms. Major explained that submittal of the proposal for executive review did not comply with the timeframe requirements of the Governor's Executive Order No. 25(98).

Decision

Based on the briefing material and staff recommendation, the Board unanimously authorized the Department to terminate the adoption process for Article 37 of 9 VAC 5 Chapter 40 (Revision F97).



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MINUTE NO. 7- Regulation for Transportation Conformity

Ms. Karen Sabasteanski, Policy Analyst, Office of Air Program Development, presented a periodic review report on 9 VAC 5-160 Regulation for General Conformity. Ms. Sabasteanski explained that the report was preliminary and contained no recommendations for further action at this time since another review of the regulation is scheduled for early next year.

Decision

Based on the briefing material and staff recommendation, the Board unanimously granted tentative approval of the report, withholding final approval until preparation and review of the report required by Executive Order No. 25(98).



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MINUTE NO. 8 - Permits - Major Stationary Sources and Major Modifications Locating in PSD Areas

Ms. Karen Sabasteanski, Policy Analyst, Office of Air Program Development, presented a periodic review report on Article 8 of Part II of 9 VAC 5-80 concerning permits for major stationary sources and major modifications locating in prevention of significant deterioration areas. Ms. Sabasteanski explained that the report was preliminary and contained no recommendations for further action at this time since another review of the regulation is scheduled for early next year.

Decision

Based on the briefing material and staff recommendation, the Board unanimously granted tentative approval of the report, withholding final approval until preparation and review of the report required by Executive Order No. 25(98).



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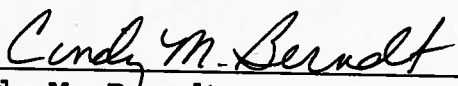
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MINUTE NO. 9 - Public Forum

No one appeared during the public forum.



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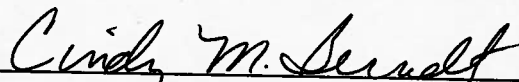
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MINUTE NO. 10 - Report on Air Program Activities

Mr. John M. Daniel, Jr. presented a report on air program activities.



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